

REMARKS

Claims 1-8, 20, and 22 are in the application. Reconsideration and withdrawal of the rejections is respectfully requested in view of the changes to the claims and the following comments.

As described at 0002, the present cord and tubing cover protects hospital personnel who are constantly working around equipment cords and tubing. As described at 0013, cords and tubing on the floor of e.g., an operating room, pose a tripping hazard to hospital personnel. As described at 0032, the present cord and tubing cover may be luminous, or have a bright color that is easily noticeable. This provides visual clues to the operating room personnel, helping to avoid tripping over, or stepping on, the cords and tubes.

As described in amended claim 1, the present cord and tubing cover is formed with a thin flexible sheet. As shown in Fig. 2, this allows the cover to drape over cords and tubes, with the sides (first and second exterior regions) adherable to the floor.

As the claimed cord and tubing cover comprises a flexible or pliable sheet, it does not, and is not intended to, provide a structural cover or barrier over tubes or cords. Rather, as described at 0032, the claimed cord and tubing cover provides visual clues to operating room or hospital personnel, alerting them to the presence of cords or tubes on the floor. The visual warning provided by the cover helps to prevent hospital personnel from tripping over, or stepping on, cords or tubes running across the floor. The bright color of the flexible sheet, as described in amended claim 1, helps operating room personnel to visually distinguish the presence of cords or tubes, even if only using peripheral vision.

Miller, U.S. Patent No. 5,278,356, describes a cable hold down tape. The tape in Miller is used to prevent unintended movement of cables. The Miller tape is provided as an alternative to using duct tape. The problem addressed by Miller is avoiding sticky or gummy residue left on the cable or floor from duct tape. Column 2, lines 13-20.

While the Miller tape includes a thin elongate strip of flexible material, column 2, lines 7-8, Miller does not appear to suggest a cover which drapes over tubes or cables, as shown in Fig. 2 of the application. More importantly, in Miller, there is no suggestion whatsoever of providing a cover offering a visual warning or clue, to reduce tripping or stepping on tubes or cables. In contrast, amended claim 1 describes a bright color which makes the cover visually noticeable. Claim 7 describes a luminous material, and claim 21 describes an orange material. These features make the claimed cover more visually noticeable, thereby improving operating room safety.

In Miller, the adhesive on the tape is used to physically hold a cable in place on the floor, as a substitute for duct tape. In contrast, in the claimed cable and tubing cover, the adhesive holds the cover onto the cable—to provide a visual warning. The adhesive is not intended to, and need not, hold the cable or tubes themselves in place, since the visual warning function provided by the claimed cover is largely independent of the specific location of cable on the floor (so long as the cover stays with the cable or tubing).

///

///

///

In view of the foregoing, it is submitted that the claims describe a cord and tubing cover which is patentable over the prior art. A Notice of Allowance is therefore requested.

Dated: January 12, 2005

Customer No. 34055
Perkins Coie LLP
Patent - LA
P.O. Box 1208
Seattle, WA 98111-1208
Phone: (310) 788-9900
Fax: (206) 332-7198

Respectfully submitted,

PERKINS COIE LLP

By: Kenneth H. Ohriner
Kenneth H. Ohriner
Reg. No. 31,646